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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,882	02/07/2001	Hidehiro Matsumoto	074273/0180	4208
22428	7590	06/16/2004	EXAMINER	
FOLEY AND LARDNER			LESNIEWSKI, VICTOR D	
SUITE 500			ART UNIT	PAPER NUMBER
3000 K STREET NW			2155	
WASHINGTON, DC 20007			DATE MAILED: 06/16/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/777,882	MATSUMOTO, HIDEHIRO
Examiner	Art Unit	
Victor Lesniewski	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 07 February 2001.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-20 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 3, 4, and 6.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This application has been examined.
2. Claims 1-20 are now pending.

*Priority*

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file under Paper #2.

*Information Disclosure Statement*

4. The IDS filed on 2/7/2001 (Paper #3), the IDS filed on 4/22/2002 (Paper #4), and the IDS filed on 4/29/2004 (Paper #6) have been considered.

*Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by LaMaire et al. (U.S. Patent Number 6,343,350), hereinafter referred to as LaMaire.

7. Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a method are rejected under the same rationale applied to the described claim.

8. LaMaire has disclosed:

- <Claim 1>

A client apparatus comprising: a cache memory which accumulates information externally provided (column 3, lines 53-57); an accumulation judgment portion which judges whether or not the information to be externally provided is accumulated in said cache memory (column 6, lines 9-10); a request portion which requests acquirement of information when said accumulation judgment portion judges that the information to be externally provided is not accumulated in said cache memory (column 4, lines 46-67); and an information processor which processes either one of the information accumulated in said cache memory and the information externally provided in response to the request from said request portion (column 4, lines 18-20).

- <Claim 2>

The client apparatus according to claim 1, further comprising: a storage judgment portion which judges whether or not the information externally provided can be stored in said cache memory (column 6, lines 6-12); an information reduction portion which reduces an amount of the information accumulated in said cache memory based on attribute information composed of preference information of a user and profile information indicative of a process ability of said client apparatus when said storage judgment portion judges that the information externally provided can not be stored in said cache memory

(column 6, lines 19-27); and a control portion which controls said cache memory such that the information externally provided in response to the request from said request portion is stored after the amount of the information is reduced by said information reduction portion (column 6, lines 25-27).

- <Claims 3 and 14>

An information providing system comprising: an information source server which provides information in response to a request (column 3, lines 47-52); a client apparatus (column 3, lines 47-52); and a data communication network which connects said client apparatus to said information source server (column 3, lines 47-52), wherein said client apparatus includes: a cache memory which accumulates the information provided by said information source server (column 3, lines 53-57); an accumulation judgment portion which judges whether or not the information to be provided by said information source server is accumulated in said cache memory (column 6, lines 9-10); a request portion which requests acquirement of the information to said information source server through said data communication network when said accumulation judgment portion judges that the information to be provided by said information source server is not accumulated (column 4, lines 46-67); and an information processor processes either one of the information accumulated in said cache memory and the information provided by said information source server in response to the request from said request portion (column 4, lines 18-20).

- <Claims 4 and 15>

The information providing system according claim 3, further includes: a storage judgment portion which judges whether or not the information provided by said information source server can be stored in said cache memory (column 6, lines 6-12); an information reduction portion which reduces the amount of the information accumulated in said cache memory based on attribute information composed of preference information of a user and profile information indicative of a process ability of said client apparatus when said storage judgment portion judges that the information provided by said information source server can not be stored in said cache memory (column 6, lines 19-27); and a control portion which controls said cache memory such that the information provided by said information source server in response to the request from said request portion is stored after the amount of the information is reduced by said information reduction portion (column 6, lines 25-27).

- <Claims 5 and 16>

The information providing system according claim 4, wherein said data communication network comprises: a gateway apparatus which is connected to said client apparatus through a first data communication network and connected to said information source server through a second data communication network (column 3, lines 47-52), wherein said gateway apparatus includes: a second request portion which requests acquirement of the information to said information source server through said second data communication network with said attribute information and communication attribute information indicative of communication abilities of said first data communication

network and said second data communication network when the request of said request portion of said client apparatus is received through said first data communication network (column 4, line 51 through column 5, line 2 and column 5, lines 16-20); a second cache memory which accumulates the information provided by said information source server in response to the request from said second request portion (column 5, lines 23-28); and a transfer portion which transfers the information accumulated in said second cache memory to said client apparatus through said first data communication network based on said attribute information and said communication attribute information (column 5, lines 23-28).

- <Claims 6 and 17>

The information providing system according to claim 5, wherein said information source server provides the information to said gateway apparatus based on said attribute information and said communication attribute information in response to the request from said second request portion (column 5, lines 20-23).

- <Claims 7 and 18>

The information providing system according to claim 6, wherein said gateway apparatus provides the information to said client apparatus based on said attribute information and said communication attribute information in response to the request from said request portion (column 5, lines 23-28).

- <Claim 8>

The information providing system according to claims 7, wherein said client apparatus further includes an attribute information change portion in which at least one of said

attribute information and said communication attribute information is dynamically changed (column 4, line 64 through column 5, line 2).

- <Claims 9 and 19>

The information providing system according to claims 8, wherein said information reduction portion removes the information having a low priority from said cache memory, wherein the priority is determined based on said attribute information (column 6, lines 19-27).

- <Claims 10 and 20>

The information providing system according to claims 9, wherein said information reduction portion compresses the information stored in said cache memory based on said attribute information (column 7, line 66 through column 8, line 6).

- <Claim 11>

The information providing system according to claims 10, wherein the information provided by said information source server includes menu data for selecting an item and is linked to other information corresponding to other menu data, the other information being provided by said information source server based on the selected item (column 3, lines 40-46), and said control portion controls said cache memory such that a remaining capacity of said cache memory is increased by changing the link generated between the menu data and the other menu data, every time one of the menu data and the other menu data is stored in said cache memory (column 4, lines 3-6).

- <Claim 12>

The information providing system according to claims 11, wherein said attribute information used said client apparatus is prepared for each predetermined usage tendency (column 6, lines 55-67).

- <Claim 13>

The information providing system according to claim 12, wherein said attribute information used in said client apparatus can be changed into other attribute information having another predetermined usage tendency (column 6, lines 55-56).

Since all the limitations of the invention as set forth in claims 1-20 were disclosed by LaMaire, claims 1-20 are rejected.

### *Conclusion*

9. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

- Nakano et al. (U.S. Patent Number 5,559,984) disclosed a cache priority control module that sets priority levels for the copies of the files stored in a cache area.
- Ali et al. (U.S. Patent Number 5,940,594) disclosed a distributed storage management system having a cache server.
- Arlitt et al. (U.S. Patent Number 6,272,598) disclosed a cache manager that causes cached objects to be replaced in accordance with one of a plurality of replacement policies.

- Batchelder et al. (U.S. Patent Number 6,351,767) disclosed a system for automatically caching dynamic content based on a cacheability determination.
- Malcolm (U.S. Patent Number 6,427,187) disclosed a system of multiple communicating caches.
- Davis et al. (U.S. Patent Number 6,516,336) disclosed a system using a two-tiered cache for hierarchically structured data.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 703-308-6165. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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